

Excerpts
Planning Commission Minutes
November 9, 2005

Application No. ZT-99-05, York County Board of Supervisors: Consider amendments to the following sections of the York County Zoning Ordinance (Chapter 24.1, York County Code)

Mr. J. Mark Carter, Assistant County Administrator, summarized the staff memorandum to the Commission dated October 26, 2005, in which the staff recommended approval.

Chair Ptasznik opened the public hearing.

Vernon Geddy III, Esq., 1177 Jamestown Road, spoke in support of proposed Sec. 24.1-705.1. Special sign regulations applicable to regional medical centers. He received a letter addressed dated 26 August 2004, from FMG Design, Inc., regarding "Sentara Williamsburg Regional Medical Center Architectural Graphics," which letter is attached to the Minutes. Mr. Geddy introduced Mr. Bob Graves, administrator of Sentara, and others who supported the request contained in the letter.

Mr. Ferdinand Meyer V, FMG Design, Inc., Houston, Texas, supported the adoption of proposed Sec. 24.1-705.1 for the reasons contained in the letter mentioned by Mr. Geddy. He believed the psychological stresses people experience when trying to find medical facilities during an emergency support more liberal signage than presently is permitted. Sign ordinances designed for commercial uses do not always reach the standard that is needed for a medical center, he believed, and seconds lost while searching for emergency medical aid could make the difference between life and death.

Hearing no others, **Chair Ptasznik** closed the public hearing.

Ms. Conner referred to proposed Sec. 24.1-474. Standards for commercial reception hall or conference center, noting there is no restaurant at the marina mentioned in the Higginbotham letter (attached) that was mentioned in the staff report. She inquired how the applicant, who does not own the marina, was qualified to apply for a use permit for a restaurant accessory to a marina. **Mr. Carter** explained that the applicant, Byrds by the Bay, had received site plan approval to establish a restaurant accessory to a marina, the marina being a pier owned by the applicant that would accommodate approximately 27 boat slips. The proposal to allow commercial reception halls in the WCI district only by Special Use Permit allows the application of performance standards similar to many of those that are already in the ordinance for restaurants accessory to marinas. Mr. Carter added that if the proposed text amendment is adopted, the applicant would need to submit an application for a Special Use Permit.

Mr. Barnett, referring to Sec. 24.1-411. Standards for Senior Housing (Housing for Older Persons), explained that he and **Mr. Carter** had discussed the proposed language following extensive research and discussion with attorneys and others who had specific interest in and experience with federal and state laws, exceptions to housing statutes, and exceptions for older people. The proposal would add flexibility to the Zoning Ordinance that it does not have. Following some discussion the members agreed generally with the intent and language contained in the proposal.

Mr. Barba moved to adopt proposed Resolution PC05-47.

Resolution No. PC05-47

On motion of Mr. Barba, which carried 7:0, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF APPLICATION NO. ZT-99-05, WHICH PROPOSES AMENDMENT OF THE YORK COUNTY ZONING ORDINANCE (CHAPTER 24.1, YORK COUNTY CODE) BY REVISING, ADDING AND DELETING VARIOUS SECTIONS TO UPDATE, CLARIFY AND SUPPLEMENT THE PROVISIONS IN ACCORDANCE WITH GOOD ZONING PRACTICE

WHEREAS, the York County Board of Supervisors has sponsored Application No. ZT-99-05 to allow consideration of various amendments intended to update, clarify and supplement the provisions of the Zoning Ordinance in accordance with good zoning practice; and

WHEREAS, the Planning Commission has considered these proposed amendments, as outlined and described in the October 26, 2005 briefing memorandum and its attachments; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on the proposed amendments in accordance with applicable procedures; and

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 9th day of November, 2005 that it does hereby recommend approval of Application No. ZT-99-05 to amend various sections of the York County Zoning Ordinance as contained in the attachments to the October 26, 2005 briefing memorandum to the Commission, said attachments being made a part of this resolution by reference.
